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Cook, Col. Theodore P.

Oration in Chancellor Square

Union, July 4, 1870



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Book 1870

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# ORATION

OF

## COL. THEO. P. COOK,

IN CHANCELLOR SQUARE, UTICA,

JULY 4, 1870.

In the House of Commons, in 1775, on the motion of Lord North to declare the province of Massachusetts in a state of rebellion, John Wilkes, in what seemed then a frenzied oration, uttered a remarkable prophecy. He said:—"Know, then, a successful resistance is a Revolution, not a rebellion. Rebellion, indeed, appears on the back of a flying enemy, but revolution flames on the breast-plate of the victorious warrior. I fear that from the decision of this day the Americans will rise to independence, to power, to all the greatness of the most renowned States; for they build on the basis of general liberty. The Americans will triumph; the whole continent of North America will be dismembered from Great Britain, and the wide arch of raised empire fall. Within a few years the independent Americans will celebrate the glorious era of their revolution of 1775 as we do that of 1688. They will have their jubilees and their centenaries."

Wilkes appreciated what a stupid King and his unwise counselors forgot: that a love of liberty, a sense of self-reliance, an independent strength of thought, an independent power of action, had been growing in this country—growing gradually and developing by safe degrees—for one hundred and fifty—one hundred and seventy years.

This spirit of independence, culminating in that grand Declaration which was published to the world four-and-ninety years ago to-day, was no plant of mushroom growth. It had sprouted under the hot sun of Virginia, at Jamestown; it had taken root in mid-winter on the desolate shores of Plymouth Bay; it was planted by the Dutch colonists on the banks of the Hudson; it was trained by the peaceful hand of Penn and his Quaker followers; it grew grandly under the beneficent culture of Lord Baltimore in Maryland. It was enriched by blood; it was watered by tears; the Indian's tomahawk could not root it up nor the gaunt foot of Famine trample it down. The red heat of war could not wither it nor the storms of adversity blast

it. It was a century plant which blossomed at last and brought forth the full-blown flower of Liberty.

What the value of that liberty is to us; what we owe to those fifty-five men who sat in Independence Hall; what we owe to those who fought the seven years war; what duties we owe to ourselves, to each other and to the world as American citizens: these are questions which this day's dawning brings solemnly to mind. It were well for us to consider these questions in no spirit of self-glorification, with no swellings of boastful pride, no worshipings of our own grandeur; but on the other hand, here, to-day, on this birthday of our freedom, amid the booming of cannon and the pealing of bells, with the music of union ringing in our ears, and the flag—the flag unrent—the flag of our love and commemoration—waving above our heads, we should find small ground for despondency, little room for complaint, and indulge no doubt as to the ultimate destiny of our land. Be simple faith the word to-day—faith and high hope and good resolve.

Look back for a moment on that scene which was enacted at Philadelphia in '76. No living witness remains to recount the glories of that day; but what need of a living witness when its every incident is engraved on the heart of every citizen? while it is the first story that childish lips may lip and the last memory which decaying age retains?

Do you not see the small square room, the President's chair, in which is seated that anomalous merchant who loved liberty better than trade—John Hancock, of Massachusetts. Do you not see the Committee of five as they return from their deliberations bringing the document pregnant with meaning and big with the fate of millions born and of hundreds of millions yet unborn? Do you not see Franklin, his long white hair flowing in curls over his shoulders, ripe in the wisdom of three-score years and ten? Roger Sherman, who had come up from the shoemakers' bench to stand in the

councils of the nation? brave John Adams, whose strong voice had rung out open defiance to oppression in Faneuil Hall, and had wakened his State to sturdy deeds at Lexington and Bunker Hill? Philip Livingston, from our own good State, who laid the pride of gentle birth and the wealth of three generations as burnt offerings on the altar of liberty? and towering above them all, his tall gaunt frame erect, his blue eyes lighted with the very fire of inspiration, behold the author of the Declaration—Thomas Jefferson, of Virginia! Outside that Hall a surging multitude was assembled, awaiting anxiously the result of those deliberations; a multitude full of faith unshaken, strong in courage undaunted, and yet appreciating the greatness of the work; and counting, but not gauging, the cost of the struggle which was already upon them. This to them was a day of sacrifice: a day that foretold the awful days to come; a day that pointed with prophetic finger to Monmouth's blood-stained sod and Trenton's cheerless ice; a day which brought afresh to their minds the vision of the farmers lying dead by the road-side at Lexington; of Warren asleep, forever, at Bunker Hill; a day that told of poverty and want and death—of straggling patriots pursued by merciless foes, treading with naked, bleeding feet, snow-bound, shelterless fields—of women starving and children crying for bread—of widespread desolation and universal grief.

Yes, it was a day of sacrifice, but it was none the less a day of rejoicing. Now, at last, after the long winter of tyranny; sometimes of despair, bounded not by months but by scores years; after the slow spring-time of progress, of lessons hard-learned, of experiences bitter; now at last the promise of a longer life, of a fuller freedom, of a grander destiny, shone upon this people, glorifying the red stains of Monmouth and melting the ice of Trenton. So it happened that when the old bell on the State House tower—the old bell with its prophetic inscription "Proclaimed Liberty throughout the land unto all the inhabitants thereof," that surging multitude sent up a great shout of rejoicing—a shout which has echoed down through all these years and greets us here to-day.

Such, then, imperfectly told, is the story of '76. The repetition of it; the recollection of the subsequent years of war, of the adoption of the Constitution, of the establishment of the Government; the memory of all these things were worse than vain if they taught us no lessons, impressed upon our minds no higher sense of national duty and lighted within our hearts no new flame of patriotism.

The fathers of the Republic transmitted to us something more than an abstract love of liberty. They transmitted to us a form of government almost perfect in its provisions, but depending

wholly for its strength and perpetuity upon the virtue and the integrity of the governed. They invested towns and counties and States with the right of local rule, and yet made each dependent on the other, and all, in the end, dependent on the general head. They discussed with grave concern, in the first convention, the antagonism which threatened to exist, which did exist, between the States and the General Government. Here was the first great difficulty which arose. Here was a double fealty which citizens were called upon to pay; fealty to the State and fealty to the nation. Here was a double loyalty which they were to exercise; loyalty to the members and loyalty to the head of the great body politic. There were the States existing before the nation was created;—the States whose borders were their borders; under whose trees their houses were built, within whose soil their dead reposed;—the States whose laws protected them; whose schools educated their children; whose police and militia guarded their homes; whose asylums shielded their unfortunates; whose opinions, literature and morality were all their own. These States were not one. At first thought it would seem that no strong element of unity existed amongst them. Picture, if you can, Cotton Mather, John Smith, William Penn, Hendrik Hudson and Lord Baltimore attempting to dwell together in unity and forming one family. How long a time do you think would elapse before the Quaker's heresies would arouse the Puritan's wrath and tempt him to lop off the offensive ears which refused to hear the Word as he heard it? Would not the Catholic's devotions and self-abnegations excite the adventurer's contempt? and would not the grim mien of the Pilgrim Father, and the "yea, yea," of the peaceful brother, fill the heart of the navigator with a longing desire for a free ship and a flowing sea?

And yet each of these men had exercised a strong and binding influence upon a separate colony: an influence which had gone down from sire to son, in tradition and legend, moulding character, guiding nature, directing pursuits, for seven generations.

What power, not Omnipotent, then, was to unite these antagonistic characters, these diverse elements, these diverging interests?

I will tell you. One single sentiment existed in common amongst them all—that sentiment a love of liberty. Through all the years of their national apprenticeship they had been learning the lesson that all men are created equal; that each has the right to life, liberty and the pursuit of happiness. This grand idea inspired the eloquence of Otis and Henry, pointed the pen of Jefferson and Paine, sharpened the bayonets of all their battles, "burst forth from a million lips, beamed in a million eyes, burned in a million bosoms," asserted itself when war was



ended, stifled the spirit of sectional animosity, bowed heart to heart with strong fraternal bands, and joined thirteen States into a common country, having one hope, one destiny, one future.

Each State, in the beginning, was called upon to sacrifice something for the good of the whole. Some rights, some privileges, some prerogatives they must yield. Inspired by a high and holy patriotism, they made these sacrifices, comforted in the loss of powers which they had come to look upon as exclusively theirs, comforted, I say, by the conciliatory spirit which pervaded the first Constitutional Convention.

But the establishment of the government did not put forever at rest the antagonism growing out of this double allegiance which men owed. The spirit which led many good and true citizens, amongst them the first Governor of the State of New York, to oppose the adoption of the Federal Constitution, was no unpatriotic nor selfish spirit. They simply loved the State which they knew to be good, better than the nation whose quality was then untested. But when the instrument had become the organic law of the land, they yielded a reverent obedience to its provisions, and the constitution found no worthier supporter than that same Governor, George Clinton. Unfortunately for us, the spirit of conciliation, the willing yielding of minor points, the withholding of words that jarred, the abstaining from deeds that irritated, scarcely survived the lives of the fathers. But, fortunately for us, there grew up in the minds of the majority of the people an earnest, honest, deep-rooted love for the Constitution and the Union—one and inseparable.

How strong that love was; to what extent it nerved the arm to do, the heart to dare, you and I learned on that April morning, when the fire which had smouldered for eighty years burst forth into a glaring, terrific blaze, threatening to consume the fabric of our institutions and to sweep our nation from off the face of the earth forever. Then it was that three thousand times three hundred men, brave as the storied heroes of Thermopylae, sprung forth to guard the Pass of the Union. Then it was that the young men of the land, taking their lives in their hands, went out to battle—fearing not death nor wounds nor suffering, content to die if the country might live. And the sequel of the story—you know that, too—how, after four years of war and blood and tears, after temporary defeat had clouded the skies and passing victories had shed the sunshine of hope abroad—how at last the sacred spirit of Peace descended, hushing the tumult in the breasts of men, calming the troubled waters, and restoring to us the heritage of a Union undivided.

It were idle now to speculate on the policy

which might have averted the calamity of our civil war. But this we know: it arose out of the same questions which most seriously disturbed the convention which framed the Constitution; and we know that harmony was restored there and the compact made possible by mutual concessions and conciliations. How far available in producing the same beneficial result, that spirit would have proved, had it been practised in later years, we may not hope to know. But practical and not speculative questions should engage our attention, if we would emulate the example of those who reduced what seemed a wild dream of political equality to a substantial reality. By means of a war which cost us in treasure a sum difficult of comprehension, and whose price in blood, in the homes desolated, in the altar-places made vacant, in the brave hearts stilled, no human being would presume to estimate; by means of such a war the integrity of the Union has been preserved. We should be false to the traditions of this day and recreant to duty, if we failed to ponder seriously on the duties we owe to that Republic whose foundations were laid in wisdom and the pillars of whose temple valiant hands have upheld.

Our foremost duty as American citizens, it seems to me, is obedience to law. Law is not a creature of man's will; it is a necessity of the universe. No talley is greater than that government is altogether a human institution, created, sustained by the people, and that they, as the source and foundation of political power, are supreme. No treason is more odious than that which denies the power of law because it does not suit the individual taste or square with the individual judgment. When the first pair were created law was established. No convention declared that government would be useful and that it should be founded amongst men. It came by divine decree, coeval with the earth, coexistent with human kind. It has been said that if the First Great Cause which created the universe were to withhold His governing power for a single day, primordial chaos would come again. It is no less true that if the restraining power of human law were removed, chaotic confusion would dismember the earth.

Reckless passion may overturn government and anarchy may rule the hour; but passion quickly dies and anarchy compels the re-establishment of government. The French Revolution ended in a despotic rule. This was not anomalous; this was natural. Two years ago the Spanish people, goaded to action by the unendurable tyranny of a contemptible queen, overturned their government and entrusted their destiny to the hands of demagogues and adventurers in whose breasts no reverence for law existed. It requires not a prophet's tongue to foretell the result. Before this year shall have passed away, some despot will have seized the reins of government in Spain, and you will find on the part of the people a ready obedience to the most exacting requirements. Under a tyrant a nation groans—but it lives; under a lack of law it seems to rejoice—but it inevitably dies.

The primary source of government is above and beyond man. But with us the secondary source is the people—the apparent, tangible power rests with them, and with us government is impossible unless it controls the will and commands the respect of the people. For ours is a government of law and

only of law. No paraphernalia of power exists. Those who make the laws and those who execute them are equally amenable with others to their provisions. No favored purple adorns our rulers, no crowns symbolize authority, and—except so far as the vanity of man has made "Honorable" and "Excellency" customary—no titles belong to the public servants. We only know that law exists when we feel its power or incur its penalties—and yet it is all there is of our Government.

Let us hope that the evil day may never come when our people shall cease to respect the organic law of the land; when the passing passions of the hour shall dictate statutes for the government of those against whom such passions are aroused; when the hope of favor or the fear of opprobrium or the zeal of partizanship shall affect the decisions of our high courts; when capitalists shall use the power of the law for selfish purposes to protect their personal interests from competition, or when rulers shall present the tyrant's plea of "necessity" as an excuse for disregarding the law which they have sworn to execute and obey.

Assuming that the stability of our Government depends on the respect of our people for law, a very grave question presents itself for consideration at this time. What would be the effect of infusing into the body politic an element utterly antagonistic to our civilization? We are forty millions—Saxon, Norman, Dane and Celt—liberty-loving people all. The struggles of the Germanic tribes against tyranny form part of our traditions; the Dutch Declaration of Independence dating back to 1581 is ours; the victory of Runnymede—Magna Charta lighting the gloom of the thirteenth century, Cromwell's protectorate, the long fight between Roundheads and cavaliers—these things are not more England's history than ours. The long-suffering of Ireland, her devotion to liberty, which force could not crush, her fidelity to religious conviction, which oppression could not alter, are all woven into our legends. This unites us. So, in one sense, our religion is common. Jew and Gentile, Catholic and Protestant, Quaker and Rationalist, are we; and yet with all this diversity of belief we unite on the essential point that a moral life, and a moral life only, can win the favor of an over-ruling Providence. But on the other side of the world is a country vast in extent, occupied by 400,000,000 of people whose traditions contain no sentiment of liberty, and whose religion inculcates no rule of morality. This people is not a savage people. In fact, its enervated civilization is so old that the love of freedom, the impatience of restraint, which is the strongest instinct of the untrained, natural man, has utterly withered and died within the breast of the Chinese;—it withered and died so long ago that no memory of it remains. I said, just now, that China was on the other side of the world; but it is only twenty-six days' journey from New York. It is nearer than England was at the time of the Revolution; it is nearer than California was a dozen years ago. The walls that have hedged it in for thirty centuries were battered down by a treaty signed at Washington, in 1867. Thousands of Chinamen are already swarming to our shores; hundreds of thousands await only the means of transportation; the loss of millions would scarcely be felt in the thickly populated sections of Asia. And these new immigrants are coming to us unbound by any family ties, unrestrained by any moral obligations, undevoted by any patriotic impulses. It is sickening to hear men praise the unquestioning obedience and servility of the Chinese workmen. Pray, what article of our political creed makes blind, animal docility a virtue? The booming of cannon to-day drowns the voices and answers the argument of these enologists of slavish qualities. It commemorates the independence of men, who, had they possessed this detestable Asiatic attribute, would have left their

children subjects of the British throne through all time to come. I have no inclination, nor have I the ability, to enter into the full discussion of this question. How far this Chinese immigration will tend to injure our laboring classes, how far it will jeopardize our liberties, these are problems demanding the most earnest thought of the most earnest minds. But I trust and believe that the bitter condemnation of a united people will rest upon any man, native or foreign born, who shall continue or countenance the new species of traffic in human flesh which has already been inaugurated. I blush for my native State when I read that a Massachusetts manufacturer has hired forty workmen from a California contractor who keeps Asiatic slave labor for sale!

With this Chinese question upon us, it becomes, more than ever, necessary to cultivate amongst the intelligent masses a comprehensive knowledge of our form of government and to inculcate a willing and intelligent acquiescence to its laws. Another duty that we owe is toleration. A free press and free speech are the necessary adjuncts of our national existence. Discussion naturally begets differences of opinion; differences of opinion beget political parties. Without these, thought would stagnate, improvement cease and progress die. A wholesome opposition to any proposed policy compels the champions of that policy to make it, in the main, acceptable. A wholesome competition for public place tends to secure to the people better representatives. Provided he be honest in his convictions, I would not have my Republican neighbor any less a Republican, and I certainly would not want my Democratic friend to abate one iota of his enthusiasm for Democratic principles. But I would have both tolerant of the views of all. Unfortunately, the spirit which led the Administration in 1798 to imprison a Congressman for criticising the President is not wholly extinct. Some few seeds which the honest but mistaken Puritans dropped by the wayside, when they were chasing the Baptists into Rhode Island and the Quakers into the sea, have taken root in the hearts of men in our time, leading them to apply opprobrious epithets to political opponents and to arrogate to themselves the exclusive possession of intelligence and the sole claim to morality. Our last great duty—and perhaps to-day our first great duty—is to cultivate a spirit of nationality. A certain sort of patriotism is natural to all. The child learns it before he knows what it means. The songs of birds, the babbling brooks, the green trees, the growing harvest, the family hearthstone, the white-spired church, the old red school-house, all teach him to love his home, to love his surroundings, and out of this grows his love of country. But this spirit may be increased. Take the child on your knee and when he asks to hear a story tell him of that boy who fell pierced by British bullets in the streets of Boston an hundred years ago last March; tell him the story of the flag when his eyes first turn to admire its glittering folds gleaming in the sunshine; go with him to the grave where sleeps the veteran hero who fought in the revolutionary war; picture to his comprehension that scene at Bunker Hill; teach him to hush the name of Washington with gratitude and reverence; and above all impress, very early, upon his mind that this day is just as sacred in the annals of Freedom as is the Christmas day in the annals of religion. And while you thus instruct him, raise your own thoughts above the level of sordid gain and of selfish ambition. Look out upon your country stretching its generous arms from ocean to ocean—from the ice-barriers of the north to the endless summer of the tropics. Ponder upon the glories of the past and the possibilities of the future; then, in humble spirit, dedicate your lives anew to the duties of American citizenship. Thus shall you become worthy sons of those sires whose deeds we have this day endeavored to commemorate.











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